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Clerks' Office
California Air Resources Board
1001 I St.
Sacramento, CA 95814

Submitted electronically.

RE: Second Notice of Public Availability of Modified Text and Availability of Additional Documents for the Proposed Amendments to the Advanced Clean Trucks Regulation and the Zero-Emission Powertrain Certification Test Procedure (Second 15-Day Changes)

Dear Executive Officer Dr. Steven Cliff:

Thank you for the opportunity to comment on the Second 15-Day Changes. On behalf of the California Trucking Association and the American Trucking Associations, please accept the following comments on the proposed modifications.

1. The proposed modifications do not address the near-term impact ACT is having on truck sales and purchases.

Consistent with our testimony before the Board on October 24, 2024, both CTA and ATA expressed our concerns that the state's truck dealerships, businesses which provide support and service to trucking fleets, will face further financial and workforce hardships unless the Board takes additional actions.

As noted in Dr. Cliff's recent memo to the Board, the ACT requirements are being pushed onto the dealerships and fleets.¹ With ZEV to ICE sales ratios ranging from 1 ZEV to 10 or 15 ICE vehicles, fleets are experiencing restrictions on the availability of new ICE trucks and, when they can purchase them, these new trucks come at a significant price premium.

Monthly registration data captures the impact of California's new truck sales requirements. The state experienced an 83% drop in the newest model year Class 8 sales from June 2023 (MY 2024) to June 2024 (MY 2025) while, nationally, a 36% decline occurred over this same period.²

¹ ACT Memo to the CARB regarding California Truck Availability Analysis from Steven S. Cliff, Ph.D., Executive Officer (September 25, 2024).

² Comments of the California New Car Dealers Association on the Proposed Amendments to the Advanced Clean Trucks Regulation (October 22, 2024).

Using credit transfers to achieve individual manufacturers' near-term compliance obligations does not address the ongoing sales restrictions or price concerns. This strategy will force the market to continue to limit ICE sales to minimize purchasing credits. The added transactional cost will be passed along to purchasers, further increasing the price of new equipment.

We recommend taking further actions to increase the availability of ICE vehicles, including adjustments to the legacy sales caps and ZEV sales percentages, fungibility of ZEV credits, eligibility of additional low-carbon compliance options, and other potential solutions.

2. CARB will need EPA approval to implement the proposed modifications.

The ACT regulation, as proposed, includes several provisions which are not included in the original ACT regulation which was granted a waiver of preemption.³ These provisions include a 100% sales requirement beginning in 2036, a three-year credit deficit make-up period, 2026 Model Year California-Certified Engine Flexibility, and others. EPA will need to reassess whether the requirements for obtaining a waiver have been met given these new standards and provisions.

Additionally, states that elect to opt-in to the regulation will need EPA's authorization to implement the new CARB-adopted provisions in their respective states. Thus, it is necessary for CARB to resubmit the modified ACT regulation to EPA for further evaluation and a determination of its applicability to the waiver provisions contain in Section 209 of the Clean Air Act.

We appreciate the opportunity to comment and look forward to working with you to further address the new truck availability and affordability crisis which is occurring in California. Significant action is needed to reverse the impact being created by the state's sales mandates.

Sincerely,



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³ Federal Register, Vol. 88, No. 66, p. 20689 (April 6, 2023).